

REMARKS

The Office Action mailed March 3, 2004 has been received and the Examiner's comments carefully reviewed. Claim 15 has been allowed. Applicants thank the Examiner for this notification. Claims 1 and 3-15 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

It is noted that Applicants submitted a Supplemental Information Disclosure Statement on August 26, 2003. Applicants respectfully remind the Examiner to return a copy of the initialed 1449 Form after the Examiner has had an opportunity to review the submitted reference.

Rejections Under 35 U.S.C. §103

The Examiner rejected claims 1, 3-6, 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over Perrone et al. (U.S. Patent 6,626,705) in view of Burroughs et al. (U.S. Patent 4,840,568). Applicants respectfully traverse this rejection.

Prior art under §102(e), (f), and (g) may be modified or combined to establish obviousness except when the 102 prior art and the claimed invention are owned by, or obligated to be assigned to, the same person. 35 U.S.C. §103(c).

Both the claimed invention and the Perrone reference are owned by the same assignee. In particular, the Perrone reference is owned by ADC Telecommunications, Inc. (assignment recorded at reel/frame 012614/0812). At the time the claimed invention was made, the inventors of the present invention were obligated to assign the invention to ADC Telecommunications, Inc. (The present application was subsequently assigned and recorded at reel/frame 012558/0513.)

Without acquiescing to the assertion that the combination provides a basis for a rejection of obviousness, Applicants respectfully submit that the Perrone cannot be used as prior art to preclude patentability of the claimed invention. Accordingly, Applicants respectfully submit that claims 1, 3-6, 8 and 10 are patentable.

Allowable Subject Matter

Claim 15 is allowed. Also, the Examiner objected to claims 7, 9 and 11-14 but indicated that claims 7, 9 and 11-14 would be allowable if rewritten in independent form incorporating all the limitations of the base claim and any intervening claims. Applicants thank the Examiner for this notification.

SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1 and 3-15) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

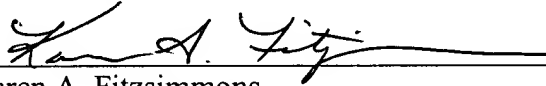
Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.



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Respectfully submitted,

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